

FORM PTO-1390
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

12637/58

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/502347INTERNATIONAL APPLICATION NO
PCT/US03/03003INTERNATIONAL FILING DATE
(3.02.2003)
3 February 2003PRIORITY DATE CLAIMED:
(01.02.2002)
01 February 2002

TITLE OF INVENTION

DELIVERY DEVICE FOR STIMULATING THE SYMPATHETIC NERVE CHAIN

APPLICANT(S) FOR DO/EO/US

REZAI, Ali; HARMAN, II, Thomas MacMartin and SHARAN, Ashwini

Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: International Search Report (PCT/ISA/220) and PCT/RO/101

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/502347		INTERNATIONAL APPLICATION NO. PCT/US03/03003		ATTORNEY'S DOCKET NUMBER 12637/58	
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<p>21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . \$920.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</p> <p style="text-align: center;">ENTER APPROPRIATE BASIC FEE AMOUNT =</p>	CALCULATIONS PTO USE ONLY																					
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$																					
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> </tr> <tr> <td>Total Claims</td> <td>31 - 20 =</td> <td>11</td> <td>X \$18.00</td> </tr> <tr> <td>Independent Claims</td> <td>6 - 3 =</td> <td>3</td> <td>X \$86.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$290.00</td> </tr> <tr> <td colspan="3" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$1226.00</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total Claims	31 - 20 =	11	X \$18.00	Independent Claims	6 - 3 =	3	X \$86.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	TOTAL OF ABOVE CALCULATIONS =			\$1226.00	\$	
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TOTAL OF ABOVE CALCULATIONS =			\$1226.00																			
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.	\$ 613.00																					
SUBTOTAL =	\$ 613.00																					
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).	\$																					
TOTAL NATIONAL FEE =	\$ 613.00																					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	\$																					
TOTAL FEES ENCLOSED =	\$ 613.00																					
	Amount to be refunded:	\$																				
	charged	\$																				

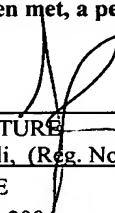
a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 11-0600 in the amount of **\$613.00** to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-0600. A copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

<p>SEND ALL CORRESPONDENCE TO:</p> <p>KENYON & KENYON 1500 K Street, NW Washington, D.C. 20005-1257 CUSTOMER NO. 23838</p>	<p style="text-align: center;">  <hr/> SIGNATURE Zeba Ali, (Reg. No. 51,392) <hr/> NAME July 23, 2004 <hr/> DATE </p>
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